

**MINUTES OF A REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
JANUARY 21, 2015**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, January 21, 2015, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

**Roll Call.**

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

**Pledge of Allegiance.** Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

**Approval of the Minutes.**

The following minutes were distributed to and examined by the Council:

1. December 17, 2014 regular common council meeting

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to approve the minutes as written. Motion carried 7-0.

**Public hearing.** Mayor Seitz opened the public hearing concerning Ordinance No. 2014-30 that revises the wastewater rates and charges.

A notice appeared in the Herald on January 9, 2015, was posted at city hall, faxed to the news media, and mailed to the wastewater customers located outside the city limits.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

**ORDINANCE NO. 2014-30 AN ORDINANCE AMENDING ORDINANCE NO. 2008-10 ENTITLED “AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH”**

This ordinance revises the wastewater rates and charges that will be applied to billings after April 1, 2015. First reading was held December 17, 2014.

City Attorney Renee Kabrick said since this ordinance was passed on first reading, two changes were made. The first change is under Section 1 (5) where it says, *In order to recover the cost of monitoring industrial wastes the City shall charge the user the actual cost of monitoring but not less than Ninety Dollars (\$90.00) per sampling event.* During first reading that subsection said (5) *In order to recover the cost of monitoring industrial wastes the City shall charge the user the actual cost of monitoring but not less than \$75.00 per sampling event.* The charge was changed from \$75.00 to \$90.00.

The second change is the 6<sup>th</sup> WHEREAS paragraph was added. It reads, **WHEREAS**, the Utility Service Board of the City of Jasper, by Resolution No. USB 2014-6 did approve the findings of the rate study conducted by Umbaugh, dated December 15, 2014, found that the rates provided by Umbaugh are reasonable, nondiscriminatory, equitable, and based upon the cost of providing service to Jasper’s Sewage Works customers, and recommended said rates and charges to the Common Council of the City of Jasper.

Kabrick told the council that they will be considering a modified ordinance on second reading and on third and final reading.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to read the ordinance by title only on second reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter a motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to approve the ordinance as modified on second reading. Motion carried 7-0.

A motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to read the ordinance by title only on third and final reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter a

motion was made by Council member Earl Schmitt and seconded by Council member Raymond Howard to approve Ordinance No. 2014-30 as modified on third and final reading. Motion carried 7-0.

**Utility Service Board.** General Manager of Utilities Gerald ‘Bud’ Hauersperger gave a report on the regular monthly Utility Service Board meeting held on January 20, 2015. A copy of the Utility Service Board minutes is supplied to each council member.

**JCAC.** Jasper Community Arts Commission member Linda Kahle attended the meeting on behalf of the Board. She thanked the council for appointing her to another four-year term. She then mentioned some of the upcoming events at the Arts Center. She said this year is their 40<sup>th</sup> anniversary and a party will be held at the museum on September 26<sup>th</sup>.

**Employee handbook update.** Personnel/Safety/Loss Control Director Cale Knies said several policies in the employee handbook are being revised. The Board of Public Works and Safety and the Utility Service Board have approved the changes. Policies 301, 307, 403, 708, and 714 are minor language changes. Policy 314 revises the meal reimbursement language for business travel and education expenses. The FMLA Policy 680 has additional language regarding military leave.

The official documents will be presented at the February council meeting for consideration.

#### **ORDINANCE NO. 2015-1 AN ORDINANCE ESTABLISHING A RESTRICTED DONATION CONTROL FUND**

This ordinance creates a fund to place various restricted donations.

A motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Thomas Schmidt to have the ordinance read by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Kevin Manley to pass and adopt Ordinance No. 2015-1. Motion carried 7-0.

#### **RESOLUTION NO. 2015-1 RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA REGARDING THE ACCEPTANCE OF A RESTRICTED USE GRANT**

This resolution accepts a \$4075.00 donation from the Dubois County Community Foundation to be used for the dog park electronic entry equipment.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to have the resolution read by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Kevin Manley to pass and adopt Resolution No. 2015-1. Motion carried 7-0.

**ORDINANCE NO. 2015-2 AN ORDINANCE ESTABLISHING RULES, REGULATIONS, AND PENALTIES THAT SHALL APPLY TO, GOVERN, AND CONTROL THE OPERATION OF THE WATERWORKS SYSTEM OF THE CITY OF JASPER, INDIANA AND REPEALING PREVIOUSLY ADOPTED ORDINANCES WITH REGARD THERETO**

This ordinance revises the language in the water utility ordinance-Chapter 11.04.

City Attorney Renee Kabrick said the water utility ordinance was revised in 2013 but it was mainly technical changes. Since that time, utility business office personnel reviewed the ordinance and recommended some language and housekeeping changes which are being considered in this ordinance.

A motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2015-2. Motion carried 7-0.

**President pro tempore.** Mayor Seitz said according to IC 36-4-6-8 (b) ..... each January, the legislative body shall choose from its members a president pro tempore to preside whenever the executive is absent.

Thereafter a motion was made by Council member Gregory Schnarr and seconded by Council member Randall Buchta to appoint Council member Thomas Schmidt as president pro tempore for the year 2015. Motion carried 7-0.

**List of encumbrances.** A list of 2014 budget items to be encumbered was presented. A motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to accept the list of encumbrances. Motion carried 7-0.

**Conflict of interest statement.** Mayor Seitz presented a conflict of interest disclosure statement submitted by Thomas R. Schmidt who is associated with Schmidt Contracting Inc that does work for the City from time to time.

A motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to accept the conflict of interest disclosure statement submitted by Thomas Schmidt. Motion carried 7-0.

**Conflict of interest statement.** Mayor Seitz presented a conflict of interest disclosure statement submitted by Jerald Schitter. Schitter is the City’s electric distribution manager and serves as a member of the Indiana Municipal Power Agency.

A **motion** was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to accept the conflict of interest disclosure statement submitted by Jerald Schitter. Motion carried 7-0.

**Sale of land.** Council member Kevin Manley asked for an update on the sale of certain city land. City Attorney Renee Kabrick said a memo will go out to the council members tomorrow regarding the status of the various parcels of land.

**Parklands.** Council member Randall Buchta asked if anything is being done with the Parklands property. City Attorney Renee Kabrick said a second access point is being considered and is being worked on.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:46 p.m.

The minutes were hereby approved \_\_\_\_\_with   X   without corrections or clarification this 18<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
**Mayor Terry Seitz**  
**Presiding Officer**

**Attest:** \_\_\_\_\_  
**Juanita S. Boehm, Clerk-Treasurer**